

REMARKS

Claims 1-13 are pending, with claims 1 and 13 being the independent claims. Claims 1-12 have been amended in their entirety. New independent claim 13 incorporates the subject matter of claims 1, 8, 9 and claim 10, allowability of which is noted with appreciation.

Referring to FIG. 1, the invention discloses a spring strut provided with a spring collar (3) that can be adjusted to assume the desired position relative to a cylinder (1). Realization of this concept lies in, initially, displacing spring collar (3) with its sleeve (15) along a chamber (13) to the desired position. Thereafter, curable material, while being in a liquid state, flows into the chamber (13) through opening (17) and fills it to a level, at which the bottom of the sleeve (15) is suspended in the chamber (13) in the desired position of the spring collar (3). Having solidified, the material supports the bottom of the sleeve so as to transmit a supporting force from the cylinder to the spring. Since every motor vehicle has its individual particularities, the desired position of the spring collar varies from one vehicle to another. Through the individual filling of the chamber (13), the spring collar (3) is adjustable so as to move to the desired position accounting for the particularities of the given vehicle.

Claims 1, 3-9, 11 and 12 stand rejected under 35 U.S.C. §102(b) as anticipated by DE 19920017 (Pradel). Claim 1 has been amended in accordance with the above-discussed operation of the inventive structure.

Pradel, as shown in FIG. 1, teaches a fastening ring (4) configured to support a valve spring (6). The ring (4) is used as a fixedly-shaped spring. Formed outside the illustrated structure so as to have a fixed shape and dimension, the ring is then inserted into a chamber between the spring (6) and a cylinder (2). Thus, Pradel does not disclose or suggest a curable material flowable, prior to curing, into the chamber and filling this chamber to a level corresponding to the predetermined position of the collar ring in the chamber, as recited in amended claim 1. Accordingly, Pradel does not have all of the elements as recited in amended claim 1. As a consequence, claim 1 is not anticipated by Pradel and is allowable.

Each of claims 3-9, 11 and 12 depends from claim 1 and, thus, is not anticipated by Pradel. Turning specifically to claim 5 which recites "an opening for injecting said curable

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material prior to curing", it should be noted that Pradel neither teaches nor suggests this element. Withdrawal of the 35 U.S.C. §102(b) rejection of Claims 1, 3-9, 11 and 12 is respectfully requested.

Claim 2 stands rejected under 35 U.S.C. §103(a) as unpatentable over Pradel. Claim 2 depends from allowable claim 1 and, thus, benefits from its allowability. Withdrawal of the 35 U.S.C. §103(a) rejection of claim 2 is respectfully requested.

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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